

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE **MR.** )  
JUSTICE **HAINES** ) THURSDAY, THE 18TH  
 ) DAY OF MAY, 2017

BETWEEN:



**IN THE MATTER OF SECTION 243(1) OF THE *BANKRUPTCY AND INSOLVENCY ACT*, R.S.C. 1985, C. B-3, AS AMENDED, AND SECTION 101 OF THE *COURTS OF JUSTICE ACT*, R.S.O. 1990 C. C.43, AS AMENDED**

BETWEEN:

**ROMSPEN INVESTMENT CORPORATION**

Applicant

- and -

**COURTICE AUTO WRECKERS LIMITED,  
NORTHWOOD RECYCLING & ENERGY INC.,  
800619 ONTARIO LIMITED, POWER GROW SYSTEMS INC.,  
COURTICE ENERGY CORP.,  
LES REBUTS DE PATES ET PAPIERS DE L'OUTAOUAIS LTEE.,  
LES AMENAGEMENTS GUIRARD INC.,  
COURTICE AUTO INDUSTRIES INC.,  
2254066 ONTARIO INC., LAKES TERMINALS & WAREHOUSING LTD.,  
KAWARTHA DOWNS LIMITED and HARVEY AMBROSE**

Respondents

**ORDER**

**THIS MOTION** made by Romspen Investment Corporation for an Order amending the style of cause in this proceeding to add Kawartha Downs Limited and Harvey Ambrose as Respondents and amending the Order of the Honourable Mr. Justice Penny dated October 19, 2015, as amended by the Orders of the Honourable Mr. Justice Wilton-Siegel dated March 17, 2016 and March 22, 2016, and the Order of the Honourable Mr. Justice Newbould dated April 21, 2016 (collectively, the "Receivership Order") for the purpose of appointing Rosen Goldberg Inc. as receiver (in such capacity, the "Receiver") of the assets, undertakings and properties of Kawartha Downs Limited and Harvey Ambrose pursuant to section 243(1) of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3, as amended, and section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C-43, as amended, was heard this day at 330 University Avenue, in Toronto, Ontario.

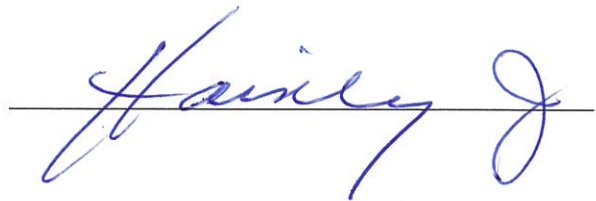
**ON READING** the Affidavit of Richard Weldon sworn May 16, 2017, the Affidavit of Alexandra Zilbert sworn May 17, 2017, and on hearing the submissions of counsel for Romspen Investment Corporation, <sup>counsel for OLG and counsel for the FDC Tenant</sup> no one else for any party on the service list appearing, although served as appears from the Affidavits of Service of Luisa Salerno sworn May 16, 2017 and May 17, 2017, filed,



1. **THIS COURT ORDERS** that the time for service of the Notice of Motion, the Motion Record and the Supplementary Motion Record is hereby abridged and validated so that this motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that Kawartha Downs Limited and Harvey Ambrose are hereby added as Respondents to this proceeding and the style of cause is hereby amended accordingly.
3. **THIS COURT ORDERS** that the Receivership Order is hereby amended such that the term "Debtors" shall hereafter include Kawartha Downs Limited and Harvey Ambrose and, subject to paragraph 4 hereof, the Receivership Order shall apply *mutatis mutandis* to Kawartha Downs Limited and Harvey Ambrose.
4. **THIS COURT ORDERS** that notwithstanding subparagraph 3(c) of the Receivership Order, subject to further Order of this Court, the Receiver shall continue to comply with the

obligations of Kawartha Downs Limited under its lease (the "KDL Lease") with Ontario Gaming East L.P., by its general partner 2465702 Ontario Inc., (the "Tenant") for Country Road 28, Fraserville, Ontario (the "KDL Land") and the Food and Beverage Services Agreement with the Ontario Lottery and Gaming Corporation, as assigned to the Tenant, and the Receiver shall not alter the *status quo* in relation to the Tenant and its business operations located at the KDL Land.

5. **THIS COURT ORDERS** that Schedule "A1" to Schedule "A" to the Order of the Honourable Mr. Justice Wilton-Siegel dated March 22, 2016 is hereby amended and replaced with Schedule "A" attached hereto.



ENTERED AT / INSCRIT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO:

MAY 18 2017

PER / PAR:



**SCHEDULE "A"**

No.	Owner	PIN	Legal Description	Municipal Address
1.	Lakes Terminals & Warehousing Ltd.	51102-0262 LT	PT Lot 13 Con A Hamilton PT 1,3&4, 39R1208 Except PT 1, 3942485; SITCB4208; Cobourg	445 and 701 Brook Road North, Coburg, ON
2.	2254066 Ontario Inc.	40457-0126 LT	LT 10,11,15-21,27 PL 135; PT LT 26 PL 135; PT LT 11-15, 25,27 PL63; LT 27-36 PL 63; LT 6 RCP 1819; PT LT 7 RCP 1819; PT E ST PL 63CLOSED BY QR93675; PT WILLIAM ST PL 6 AS SHOW ON PL 63 & PL 135 CLOSED BY QR340667; PT 1 21R8344; EX PT 2, 3 & 4 21R22423, Sidney; Belleville, County of Hastings	40 Wilson Avenue, Belleville, ON

**ROMSPEN INVESTMENT CORPORATION**  
Applicant

-and-  
Respondents

**COURTICE AUTO WRECKERS LIMITED et al.**

Court File No. CV-15-11129-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**PROCEEDING COMMENCED AT  
TORONTO**

**ORDER**

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